

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
Land Division
Honolulu, Hawaii 96813

January 9, 2009

Board of Land and Natural Resources
State of Hawaii
Honolulu, Hawaii

PSF No: 03MD-034

MAUI

Rescind Prior Board Action of September 8, 2006, Item D-9,
for a Grant of Perpetual, Non-Exclusive Easement to Misha
Bowman for Access and Utility Purposes, Makawao, Maui, Tax
Map Key: (2) 2-9-003:050 portion of

BACKGROUND:

At its meeting on September 8, 2006, Agenda Item D-9, the Board
authorized the issuance of a grant of perpetual, non-exclusive
easement, over government lands situated at TMK (2) 2-9-003:050
portion of, to Misha Bowman for access and utility purposes to an
existing kuleana parcel identified as TMK (2) 2-9-001:026.

REMARKS:

In the process of promulgating the approved easement request, the
survey map that identified the encroachment over government lands
was revised to meet DAGS Survey Division standards by Mr. Randall
Sherman dated November 6, 2007. Upon review of the revised map, by
DAGS Survey Division staff, it became clear that an "old government
road" is directly adjacent to the subject parcel and that no remnant
exists between the road and the lands owned by Ms. Bowman.
Therefore, an access easement from the State over the subject parcel
is not necessary. The updated survey map is attached as Exhibit A.

RECOMMENDATION: That the Board:

1. Rescind the prior Board action of September 8, 2007, under
agenda item D-9.

January 9, 2009

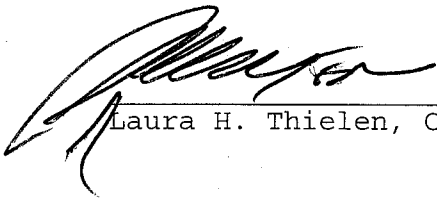
2. Authorize the refund of \$30.00 document fee and \$25.00 survey map fee previously paid by the applicant on October 26, 2006.

Respectfully Submitted,



for Daniel Ornellas
District Land Agent

APPROVED FOR SUBMITTAL:



Laura H. Thielen, Chairperson



